



U.S. SENATE COMMITTEE ON

Finance

SENATOR CHUCK GRASSLEY, OF IOWA - CHAIRMAN

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For Immediate Release

Tuesday, Oct. 14, 2003

Grassley Seeks Response to Nursing Home Fire Safety Questions

WASHINGTON – Sen. Chuck Grassley, chairman of the Committee on Finance, and Sen. Bill Frist, majority leader, have asked the Centers for Medicare and Medicaid Services (CMS) a series of questions about whether existing nursing home fire safety standards are adequate. The senators also have asked the General Accounting Office to study the issue.

The text of their letter to CMS follows.

October 9, 2003

VIA FACSIMILE: (202) 690-8168

ORIGINAL BY U.S. MAIL

Mr. Thomas Scully

Administrator

Centers for Medicare & Medicaid Services

Department of Health & Human Services

200 Independence Avenue, SW Room 339G

Washington, DC 20201

Dear Mr. Scully:

This year there have been a number of fire-related tragedies involving the death or serious injury of dozens of nursing home residents. These incidents, including a late night fire on September 25th in a nursing home in Nashville, Tennessee, that has killed fourteen patients and injured many others to date, raise serious questions about whether the Centers for Medicare & Medicaid Services (CMS) should consider modifications to its federal fire safety requirements.

In January 2003, the CMS adopted the 2000 edition of the National Fire Protection Association's (NFPA) Life Safety Code (LSC) requirements. According to these requirements, older facilities need not install sprinkler systems unless the facilities are being renovated. As we

understand it, the facility in Nashville was not required to have a sprinkler system installed in its residential areas because the Nashville center was grandfathered under a building code adopted by the State of Tennessee in 1994. Under this grandfather provision, the facility would be required to install sprinklers only if it was extensively renovated.

Recently, we requested that the General Accounting Office (GAO) examine the federal fire regulations for nursing homes. Similarly, we are asking that CMS assist us in evaluating how well existing regulations are working and whether any modifications are necessary. Therefore, in light of the recent tragedies, we are asking CMS to provide an answer to the following questions by October 31, 2003:

- How well do existing federal fire regulations protect nursing home residents?
- What modifications would CMS recommend to such regulations, if any, to help prevent tragedies like the one in Nashville from occurring?
- What actions is CMS taking to ensure the safety of nursing homes with respect to fires?

Thank you for your attention to this important matter. We look forward to receiving your comments in the next few weeks.

Sincerely,

Charles E. Grassley
Chairman

Bill Frist
Majority Leader